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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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APR 25 2005

JEFF HATCH-MILLER, Chairman
WILLIAM A. MUNDELL
MARC SPITZER
MIKE GLEASON
KRISTIN K. MAYES

AZ CORP COMMISSION
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IN THE MATTER OF THE APPLICATION OF
PINE WATER COMPANY FOR A
DETERMINATION OF THE CURRENT FAIR
VALUE OF ITS UTILITY PLANT AND
PROPERTY AND FOR INCREASES IN ITS
RATES AND CHARGES BASED THEREON
FOR UTILITY SERVICE AND FOR
APPROVAL TO INCUR LONG-TERM DEBT.

DOCKET NO. W-03512A-03-0279

STAFF'S EXCEPTIONS

Commission Staff hereby files its proposed amendments to the Hearing Division's Recommended Opinion and Order. Staff files its proposed amendments for the limited purpose of modifying the Recommended Opinion and Order to reflect Staff's belief that responsibility for developing and proposing workable long-term solutions for water shortage issues in Pine, Arizona rests with Pine Water Company.

Staff agrees that Staff and other interested parties have an interest in working with Pine Water Company in resolving water shortage issues. However, the proposal of feasible solutions, as well as the critical analysis of the means by which the solutions may be implemented, should be first and foremost the company's responsibility. Therefore, Staff submits the attached proposed amendments to the Recommended Opinion and Order for Commission consideration.

In addition, Staff offers several amendments for clarification purposes and also to impose a time limit on the two-connection per month moratorium. Staff believes that it is not in the public

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STAFF PROPOSED AMENDMENTS

Proposed Amendment #1 – Page 11:

Line 8 – Delete “and the Commission’s Staff to be actively involved in analyzing and discussing” and replace with “to actively analyze”

Line 16 – Insert “Staff,” between “including” and “ADEQ”

Proposed Amendment #2 – Page 11:

Line 19 – Delete “Staff and” and also delete “jointly or separately”

Line 20 – Insert “progress” between “a” and “report”

Line 21 – Delete “the parties” and replace with “Pine Water”

Proposed Amendment #3 – Page 12:

Line 24 – Delete “modification” and replace with “the modification proposed in this decision”

Proposed Amendment #4 – Page 13:

Line 4 – After “Commission” insert “or until December 31, 2006, whichever comes first”

Line 5 – Insert new ordering paragraph “IT IS FURTHER ORDERED that if by December 31, 2006, a permanent solution to Pine Water Company’s water shortage issues is not established or if the Commission has not issued a further order to the contrary, a total moratorium on any new connections to Pine Water Company shall become effective on January 1, 2007.”

Proposed Amendment #5 – Page 13:

Line 8 – Insert new ordering paragraph “IT IS FURTHER ORDERED that all conditions placed on the installation of meters that have been contained in previous Commission decisions for Pine Water Company shall remain in effect during this modified moratorium.”

Proposed Amendment #6 – Page 13:

Line 8 – Delete “and Staff”

Line 9 – Insert “Staff,” between “including” and “ADEQ”

Proposed Amendment #7 – Page 14:

Line 2 – Insert “ADEQ” between “these” and “matters”

1 interest to allow connections to continue to occur indefinitely without a permanent solution to Pine
2 Water Company's water supply issues.

3 RESPECTFULLY SUBMITTED this 25th day of April 2005.

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